

ARIZONA STATE PARKS BOARD
CADY HALL, 346 DUQUESNE AVENUE, PATAGONIA, AZ
JULY 21, 2005
MINUTES

Board Members Present:

Elizabeth Stewart, Chairman
William Porter
Janice Chilton
Mark Winkleman
John Hays

Board Members Absent:

William Cordasco
William Scalzo

Staff Present:

Kenneth E. Travous, Executive Director
Jay Ream, Assistant Director, Parks
Jay Ziemann, Assistant Director, External Affairs and Partnerships
Mark Siegwarth, Assistant Director, Administration
Cristie Statler, Executive Consultant
Debi Busser, Executive Secretary
Dave Pawlik, Park Manager, Patagonia Lake State Park
Dan Shein, Chief, Resources Management
Lee Eseman, Park Manager, San Rafael State Park
JoAnne Roberts, Resource Ecologist
Marshall Goodwin, Park Ranger, San Rafael State Park
Carol Bercich, Park Ranger, San Rafael State Park

Attorney General's Office:

Joy Hernbrode, Assistant Attorney General

A. CALL TO ORDER – ROLL CALL

Chairman Stewart called the meeting to order at 9:10 a.m. Roll Call indicated that a quorum was present. The Parks Board and staff introduced themselves.

B. WELCOMING REMARKS

1. Report on San Rafael State Park

Ms. Lee Eseman, Park Manager, San Rafael State Park, welcomed the Board to Patagonia. She stated that she would provide a PowerPoint presentation on what has been done at San Rafael for the past two years.

Referring to slides, Ms. Eseman reported that they are now on the satellite computer system and have added a solar system which addresses the renewable energy issue. They also have the advantage of generator back-up. New electric panels have been added to the upstairs of the ranch house and work continues on restoring the upstairs. Restoration continues to be done on the outside of the ranch house, beginning with the porch. Historic preservation methods are being used on the 44 columns. Work on the boundary fences is 85% complete. Staff from Tubac Presidio State Historic Park and Kartchner Caverns State Park (KCSP) came to the park and, along with some volunteers, performed stucco work on the Cowboy Houses. All work was done in one day with 11 Arizona State Parks (ASP) employees and volunteers working on it. No contractors were used, saving the agency a lot of money. They hope to rent out the Cowboy Houses in the future.

Ms. Eseman referred to slides depicting the new solar system that provides lighting for the Cowboy Houses.

Ms. Eseman referred to slides depicting the ADOT project, which is the big project for this year ADOT changed the alignment of Forest Service 61 by about 300 feet making it much safer for traffic and enabling traffic to see over the cattle guard. After the road work was completed, it was re-seeded. The seed that was originally received contained flowers that were not native to the San Rafael Valley. She had specified that specific seed that contained native grasses was necessary; a new shipment was sent and will be installed as soon as the rains come.

Ms. Eseman discussed the flora survey of the river. One of the reasons for the purchase of San Rafael Ranch was the existence of endangered species. Staff had to survey the river and the springs. Staff would go into the pools to survey for these species. The liliopsis were found in these pools. Searching for the liliopsis is very difficult because it resembles blades of grass in a jungle. One way to identify it is by its taste; it tastes like carrots.

Ms. Eseman then discussed a big problem for the park – the border. She referred to a slide depicting the area where drug smugglers come across the border, usually at a high rate of speed. Even though the park is not open to the public now, it was necessary to erect signs warning people to avoid that area. She discussed an issue where there was a smuggling ring to the south. One of their trucks came across and exploded. It was missing a tire, had no brakes, and was loaded with drugs. When it stalled another vehicle came from across the border and the smugglers began offloading the drugs onto the second vehicle. When Border Patrol arrived, they began shooting at the Border Patrol. She referred to slides of the vehicles involved. She noted that both vehicles were stolen. The only reason the Border Patrol was able to get them was because the first vehicle broke down and they had to move their merchandise to the second vehicle.

Ms. Eseman referred to slides depicting commercials made at the park earlier this year. They hired some local people and rented personal property for the commercial. The park made some money and the locals made some money.

Ms. Eseman referred to slides depicting other visitors to the park: antelopes and various species of snakes. She finished her slide presentation by showing views of the area.

C. CONSENT AGENDA

- 1. Approve Minutes of May 25, 2005 State Parks Board Meeting**
- 2. Approve Minutes of May 26, 2005 State Parks Board Meeting**
- 3. Approve List of Recommended Projects, Programs and Events for the Consideration of Funding by Arizona State Parks Foundation** – Staff recommends that the list of recommended projects, programs and events included in the Board packet be proposed to Arizona State Parks Foundation for consideration of funding. If additional projects, programs, and/or events are proposed for funding by either Arizona State parks Board or Arizona State Parks Foundation, such recommendations will be subject to the approval of both parties.
- 4. Approve SHPO Work Plan** – Staff recommends that the Board approve the FY 2006 SHPO Work Program Task List.

Mr. Porter made a motion to approve the Consent Agenda except for Item 3 which is to be tabled until the September Parks Board meeting. Mr. Hays seconded the motion. The motion carried unanimously.

Mr. Porter stated for the record that he believes until the Board is in a position to approve the agreement with the Foundation, the Board needs to be careful about not looking like it is becoming too much of an alter ego. Telling the Foundation what the Board wants from them before an

agreement is in place smacks of too much control on the Board's part.

Chairman Stewart noted that she has been very impressed over the years with the SHPO Work Plan. They always do an excellent job of setting forth their intentions with a small amount of money. They have a tremendous impact with the Site Steward program and conferences where so many people from throughout the state can attend. In the future she does want to discuss the establishment of a state heritage area program that is in the SHPO Work Plan.

D. ACTION ITEMS – The Board may take action on the following items:

- 1. Approve FY 2006 and FY 2007 Strategic Plan** – Staff recommends that the Board approve the Two-Year Strategic Plan for FYs 2006 and 2007 and that the Executive Director be authorized to carry out the programs as required.

Board Action

Mr. Porter: I move that the Board approve the Two-Year Strategic Plan for Fiscal Years 2006 and 2007 and that the Executive Director be authorized to carry out the programs as required.

Mr. Hays seconded the motion.

Mr. Porter noted that this is essentially a document that is required and must be submitted in a particular form to the Governor's Office. While it is necessary, it is not the kind of document the Board can use internally for its guidance. This motion is to approve the Strategic Plan with the changes agreed to at yesterday's meeting.

Mr. Winkleman noted that ASP is ahead of the Land Department in getting the Strategic Plan ready.

The motion carried unanimously.

- 3. Approve the Vision and Design** – Staff recommends that the Board approve the Vision and Design Plan.

Board Action

Mr. Porter: I move that the Board express its general approval of the document presented to them with various changes discussed on July 20 and that final approval of this document be tabled to the September Board meeting in order to give staff the opportunity to come up with a final revised document to bring to this Board for final approval.

Mr. Hays seconded the motion.

Mr. Travous noted that in the interim staff will begin moving forward on the items contained in the document, knowing that some adjustments need to be made.

Mr. Porter agreed that there are changes in language that need to be made. The Board wants to be careful to not pass something without fully understanding what they passed.

The motion carried unanimously.

At this point, the Chairman returned to Agenda Item B.2.

B. WELCOMING REMARKS

2. Update on San Rafael Management Plan

Mr. Dan Shein, Chief of Resources Management, presented a PowerPoint presentation on the San Rafael Management Plan. He thanked the staff at San Rafael for hosting the Board and staff at the ranch last night.

Mr. Shein reported that this is a process that involved Resources Management staff, technical staff, and Operations staff. Two key players were JoAnne Roberts and Tanna Thornberg, Chief Planner, who put most of this material together. Georgette McNally, Research and Marketing, was the facilitator for all of sessions. He thanked them for their assistance in assisting in this process.

Mr. Shein reported that San Rafael State Natural Area is located in Santa Cruz County and runs along the border. It is 23 miles south of Patagonia. It was acquired by ASP in 1999. It was part of an

original land grant, part of which continues to operate as a ranch.

Mr. Shein reviewed the reasons for ASP acquiring the property. It protects an excellent example of the Grassland Ecosystem; it protects the deciduous Riparian Ecosystem and headwaters of the Santa Cruz River; it protects several threatened and endangered species of plants and animals; it provides an ability to educate the general public about the ecosystems in the area; it is a historic land grant; it is one of the last places unobstructed by power lines and provides an incredible viewshed; has a significant open space value; and resolved the immediate threat of being subdivided into smaller "ranchette" parcels.

Mr. Shein reviewed the history of the property. In the 1600s the property was used primarily for cattle grazing, and during this period the Land Grant was established by Mexico. During the 19th Century the area was admitted into the United States. San Rafael Cattle Company purchased the land grant in 1883. Colonel Green purchased the property and his heirs ranched it until it was purchased by ASP in 1999. Several films have been made on the property, including *Oklahoma!* The National Historic District Register nomination is pending.

Mr. Shein reported that since acquiring the property, staff have focused their efforts on restoring and stabilizing the historic buildings and acquiring baseline natural area resources data. The Game and Fish Commission has provided reports on native fish and pronghorn antelope.

Mr. Shein reported that the Resources Management Section participated in the first planning session this calendar year to focus on moving ahead with a Master Plan. They spent a few days at the ranch and toured the general area. The focus was what they wanted to see happen at San Rafael State Natural Area. The first part of the process was brainstorming. They discussed the pros and cons of each change in direction and selected preferred primary and preferred management and then secondary management decisions.

Mr. Shein reported that the first draft was released in February. The primary purpose for the first year is to manage the natural area as a conservation area to conserve natural values through concentrated and limited or controlled use with well-designed monitoring and adaptive management. The second day they arrived at secondary purposes. Here the group was divided. The issues related to operating the fee simple lands as a working cattle ranch or as a history center that interprets Arizona ranching with emphasis on the local area's history. There was a lot of discussion relating to the compatibility of various management directions with the recommended primary purpose. The group agreed to meet again on this issue. He noted that other issues were discussed that contained common threads. One was protection strategies for the natural area's values such as fire management. Another overriding issue pertained to the border issues and the impact to the natural area and its management. This is a very significant issue. Other issues were day use versus overnight use and potential partnerships.

Mr. Shein reported that members of NAPAC (Natural Areas Program Advisory Committee) are present at today's meeting. Because San Rafael was purchased with Natural Areas funds, NAPAC met on March 31, 2005 to discuss the February meeting. NAPAC unanimously opposed the second tier "cattle ranch" option and identified the "history center" option as not being an appropriate use of Natural Areas money. For clarity and guidance NAPAC made some recommendations for future acquisitions to include a detailed listing of natural area values to be protected and managed. NAPAC made two motions at the meeting. One was to go back through all of the records to determine what the natural areas values were for San Rafael to be purchased and to place a high priority on for them in the Management Plan. The second was that ASP should make the protection and restoration of the grassland ecosystem as the context from which to develop a Management Plan.

Mr. Shein reported that a meeting was held with Executive Staff in April to review the meetings from February and March. Executive Staff directed that the entire 21,131 acres are considered a State Natural Area; the entire purchase was with Natural Areas Heritage Fund money that have certain limitations; existing legislation and policies relating to natural areas are to be adhered to

(Heritage Fund, SIX-2000 Plan, and Natural Areas Program policies); the tools ASP has to manage the conservation easement differ from the fee simple lands, long-term research and monitoring must be conducted and results evaluated regarding the ecosystem condition and effectiveness of management techniques; and to interpret the natural area (fee simple lands) in juxtaposition with the conservation easement and other adjacent grazed areas.

Mr. Shein reported that at a staff meeting in May staff discussed the directions provided by NAPAC and Executive Staff. One of the recommendations staff made at that meeting was to call the entire property, "San Rafael State Natural Area" (SRSNA).

Mr. Shein reported that another staff meeting was held in June. Staff discussed revisions to the purpose and goals of the natural area and the scope of work to be covered in the Master Management Plan. Staff recommends that ASP hire a consultant to prepare the Master Management Plan for SRSNA. The recommended primary purpose of the property is to manage and monitor the SRSNA as a grassland and riparian ecosystem to protect and maintain the natural area values. The recommended secondary purpose is to preserve open space and viewshed values. Recommended goals include educate about the natural area's resource values and their importance; interpret the natural and cultural history; provide on-site opportunities to experience the natural area consistent with the primary purpose; and open the area year-round consistent with the primary purpose. Each goal is considered to be of equal importance. Additional goals include to work with our partners to ensure the success of the purposes of the conservation easement; collaborate with others in conducting research studies to improve ecoregion resource management for greater understanding; and participate in landscape scale regional management activities.

Mr. Shein reported that monitoring the area has become an issue for Resources Management. Resources Management monitors for the protection and enhancement of ecosystem resources, processes and function including riparian and grassland wildlife, open space, cultural and social environment values while allowing for compatible levels of use; to determine desired conditions and ensure the values have not been degraded; with a regular monitoring schedule taking periodic measurements to detect changes in the desired condition, and if needed adapt management strategies; use the LAC system (Lines of Acceptable Change) and take any remedial actions necessary when limits are met or exceeded.

Chairman Stewart asked what the problem is.

Mr. Shein responded that one problem was that they were not able to collect data because they were asked to leave the eastern area by the landowner prior to completing monitoring. It is now too late into the season to sample the flowers; they had to be sampled during the growing season.

Mr. Winkleman asked why they were asked to leave by the landowner.

Mr. Shein responded that he was not exactly sure of the details. There is no recent or historic information to reference. One of the objectives for monitoring was to understand the relationship between the plant species distribution and the plant species cover. Precipitation varies in the San Rafael Valley, and there really is a need to have the precipitation records. In order to get to the above-stated objective, staff need to have the most recent ranch management plan that was done in 2003. Staff requested that document and have not yet received it. It is difficult to monitor when you don't know what the plan contains. It is a significant problem regarding the Conservation Easement.

Mr. Shein discussed the Management Plan Scope. A comprehensive management plan for a natural area includes identifying the resources, current conditions and how it is managed. It includes detailed development and operational components, management policies, visitor management and recreational activities. It needs to include area-specific protection strategies and a detailed ecological monitoring program and should be designed to serve as a model for the management of all current and future natural areas.

Mr. Shein reported that the RFP Outline of Work will include a series of public participation (stakeholders and general public) meetings; data inventory and analysis; identification of management alternatives; selection of preferred management alternatives; visitor use, development/facilities, and education/interpretive recommendations; grassland/riparian ecosystem management plan; conservation easement interface; and the final Master Management Plan.

Mr. Shein reported that a number of documents were used in developing the Management Plan (including ASP's enabling legislation, the Board's new Vision, the SIX-2000 Plan, the Heritage Fund Initiative, and NAPAC policies and guidelines).

Mr. Shein thanked staff for their assistance in putting this presentation together.

Chairman Stewart stated that she felt this was an excellent presentation. It is helpful for the Board to have this kind of report. She asked if staff had any comments.

Mr. Travous stated that there has been an unfortunate pattern of difficulties working with the land manager on the northern end. Staff's mode of operation has been to try to be a good neighbor by leaving him alone as much as possible and letting him ranch. From a distance, it appears that he is doing a good job. There are things on the land that cannot be measured at a distance. Staff have to be on the land in order to manage it. This is where there is a lot of difficulty. Staff had water monitoring stations set up on the land to measure the wells to get an idea of the static hydrological status of the valley. The first thing the land manager did was pull up all monitoring devices and throw them away. Staff did not fight that. It is clear that within the Conservation Easement that was written when this purchase was done that the state, in the public's interest, intended to monitor the health of the valley as a grassland and to have it not be impaired for future generations. The public has a lot more money invested in that property than he does. ASP purchased the conservation property at 75%-80% of the value had it bought it fee simple. ASP has \$8 million in public money invested in that property and has a responsibility not only for what the agency is trying to do here, but also from a management standpoint. A Management Plan is a dynamic thing. It starts off with an inventory but then goes into monitoring and assessment. After that monitoring and assessment is complete, adjustments are made because it is a living organism. From that monitoring things might be found that were totally unexpected or things may be missing that were thought to be there. From that perspective, until staff get a handle on what we have, it doesn't make a difference what the general Management Plan has because the primary purpose of why we are there is currently being thwarted.

Mr. Travous added that it goes well beyond what happens at the San Rafael Ranch. This was the largest single purchase of conservation easements in Arizona's history. It was the first such purchase. He predicts that as this goes, so go conservation easements not only in Arizona, but around the West. If they can't be enforced, they are worthless. People need to know that. People are beginning to ask those questions on the national scale.

Chairman Stewart noted that Congress is re-evaluating the entire conservation easement program because the landowner gets a significant tax deduction, among other things. The public's eye is on this.

Mr. Travous added that sometimes the only thing the landowner wants to sell is conservation easements. If it works, it's a good thing. But, if it doesn't work, they you've been sold a pig-in-a-poke. If it can't be enforced, you have nothing. In the State of Arizona the Conservation Easement is a recorded document in the County Recorder's Office as a portion of the Title.

Mr. Winkleman commented that someone must surely know why the landowner won't cooperate.

Mr. Travous noted that staff have been in these battle before. He wants something. He wanted a fence line changed on the southern boundary because he didn't think it was right. Agreement couldn't be reached. After six months to a year it was kicked it up through the organization to him. Things were worked out for a while, and then he wanted something bigger.

Mr. Winkleman asked if this is an honest misunderstanding.

Mr. Travous deferred to Ms. Hernbrode.

Ms. Hernbrode responded that, while she has not been the primary contact on this, she does have an overview of the situation over the past four years. From reading the Conservation Easement, she understands that the agency's right of access is not conditioned upon any additional items. Staff is required to provide the landowner, as well as any contractor that may be used, with a copy of insurance and the landowner must be given seven days' notice. That is what is required to go on that land for monitoring purposes.

Chairman Stewart asked if staff have been doing that.

Ms. Hernbrode responded affirmatively. He has imposed some additional restrictions. It is her understanding that there was to be a modification to this Conservation Easement, so for a few years he demanded that document in return for access and for providing a copy of his Grazing Plan. That modification has now been recorded and he has been provided with that document. He now wants an access point near the house. Staff have not been able to arrange a meeting with him (he is not returning staff's phone calls) in order to deal with that situation. Unfortunately, it appears we have gotten off on a bad foot and can't seem to repair the relationship. He has been refusing to allow access for monitoring until he gets what he wants.

Mr. Winkleman noted that the Land Department has a significant relationship with this individual. He is highly confident they can facilitate a meeting. He believes the Land Department can get his attention because he needs them for his needs on other ranches. He wanted to get a sense of whether this man thinks ASP is being unreasonable or if he is being unreasonable. If it's a matter of getting him to the table, Mr. Winkleman is highly confident he can do that in a way that the landowner will take it seriously and listen to a reasonable request. He is happy to do that if that's what it takes to get the parties talking.

Ms. Hernbrode responded that there are certainly two sides to every story. She can only speak to the legal side. ASP has done, legally, what it needs to do in order to make this happen.

Chairman Stewart stated that Mr. Winkleman has made a good suggestion on how to proceed. It is worth looking into.

Mr. Hays asked whether there are any other options. The Board has perhaps partnered with an unfortunate personality and didn't realize what they were getting into. There needs to be cooperation in this case. He would hate to see the Conservation Easement flounder because of this personality. The situation has to be worked out. Conservation easements are too important to allow this to continue.

Mr. Travous stated that it is his understanding that if we don't do something fairly soon another year's opportunity has been lost because time is once again critical.

Chairman Stewart suggested letting Mr. Winkleman see if he can get involved informally to do something to speed things up.

Mr. Ream noted that the seven-day notice to enter the property and a copy of proof of insurance will be sent either this week or first of next week. How that letter is responded to will be very telling. Staff need to be on that property in August. If the landowner does not respond or responds negatively or denies access when staff show up, that is when assistance will be needed.

Mr. Winkleman requested staff provide him with a bullet memorandum staff's issues needs to get onto the property. He noted that the landowner's name is Ross Humphries. He will investigate from the Land Department's perspective what issues they may have with him. Once he knows the issues, he will facilitate setting up a meeting.

Mr. Ream noted that, in the meantime, staff will continue with their obligations according to the

Conservation Easement and keep the Board posted on how the correspondence was received. The letter generally comes from Ms. Roberts. He asked if it should be signed by the Executive Director.

Mr. Travous responded that it may be better coming from him.

Mr. Winkleman agreed. The level of importance has been raised, and therefore the letter should come from the Executive Director.

Mr. Porter stated that he believes the Board is in agreement that the Conservation Easement is critical. The Board needs an update and advice from counsel as to alternatives if headway is not made in negotiations.

Ms. Hernbrode responded that she is prepared to give the Board that advice now or later. She would prefer, if the Board feels it is acceptable, to wait until it can be clearly placed on the Agenda.

Chairman Stewart stated that it is probably premature at this point to receive that advice. The Board generally understand that there significant problems.

Mr. Porter agreed that this issue can be further discussed in September.

Mr. Hays requested Ms. Hernbrode to check to see if this kind of situation has occurred in other conservation easements where there have been conflicts between the land manager and the owner of the conservation easement.

Ms. Hernbrode responded that she could certainly do a legal search for any situations like this that have gotten to the point where they went to court. Staff's contacts in the conservation community might be better suited to finding conflicts that have not escalated to court.

Chairman Stewart noted that there are a number of conservation easements all over the country. She has attended Land Trust Alliance meetings and they frequently have issues. This is a common thing. Usually a conflict like this doesn't arise until the second generation of landowners. Things usually go rather smoothly with the person who actually entered into the agreement. Problems frequently develop when the property changes hands. It's fairly common. Even though these documents are drafted as carefully as possible to make the rights and responsibilities on each side clear, disagreements arise.

Mr. Porter stated he believes the most critical piece to having a Management Plan is that we have got to know exactly what the asset is and its condition. We need to do PAMS. This is a prime example of why the Board wants PAMS – to have a complete understanding of the make-up of the property and those things that we need to be aware of. He doesn't see how staff can seriously do a management plan until PAMS is a major ingredient. Another obvious issue that the Board has no control over is the border issue. What is going on there is absolutely scary. He honestly does not believe the Board can ever open San Rafael to the public until it can be done with the assurance that the public will be safe. That will not happen for a while.

Mr. Porter added that the Board clearly really has two distinct properties. We have what is certainly a natural area and does include the whole property; but, sandwiched in there is the old ranch center which has a distinct historic footprint and a distinct historic value. It is important. The Board has to do a good job of making these two compatible and work together. They are compatible and can actually feed on each other. There will be people who will want to come to San Rafael for the history and there will be those who will want to come for the natural area. The Board needs to deal with both. The ranch has incredible potential as an interpretive historic site. The Board is starting fresh with this property and can really do it right and set something up that will be a lesson for the rest of the country. It is an opportunity for the Board to follow its Vision and put something together that places the Board as a leader in this type of operation. It's exciting, but it's something the Board has to pay a lot of attention to. It is almost like having two parks. There is the wonderful natural area and there's the old historic area which is almost a historic park. While the historic part is not incompatible with the natural area, he agrees with NAPAC that the Board may need to look at

funding outside of NAPAC funds because that ranch property has to be preserved as a historic property because it is priceless.

Chairman Stewart noted that a number of issues have been raised that the Board needs to discuss. The Board will discuss PAMS. She asked if any of the Board members had additional concerns to discuss.

Mr. Hays noted that the UA (University of Arizona) has a long history of involvement (75-80 years) at San Rafael. They did a lot of work on the property. Their Department of Agriculture is a great resource and was not mentioned in the report. They have a lot of valuable historic information on the condition of the range, the management plans, monitoring they performed. They have been bypassed in this whole thing. He was surprised as some of the conclusions that were reached in the presentation. He feels this is an important issue.

Chairman Stewart stated that there are four issues the Board needs to discuss. Mr. Porter suggested that prior to contracting out for a management plan, PAMS must be done. She tends to agree. In the strategic planning process, one of the things the Board emphasized, in addition to PAMS, was that the Board base its decisions on scientific and other factual information. PAMS is a tool that, in this particular instance, is one of the most important ways to get the information the Board needs.

Mr. Travous stated his agreement. PAMS stands for Park Asset Management System. We have the largest park of that area that staff cannot get access on to do the monitoring. Staff cannot do that PAMS until they can get on the property to perform the monitoring. If the monitoring devices are pulled up staff can't get the information to do PAMS. The first part of PAMS is the inventory. Staff can't get an inventory on that 17,000 acres because the landowner won't let them on it.

Mr. Ream added that much of that inventory that is being done in-house by subcontractors would be included in any resource management plan contracted out. Staff would require the contractor to perform the inventory that would be put into PAMS. Staff would then work with them on the Management Plan. A lot of the PAMS input would be done by the contractor who would be working on the Management Plan. PAMS is a living thing – it keeps going and going. Staff will not know everything about that property until they gain access.

Chairman Stewart noted that the Board would not have a problem as to who gathered the information (staff or a contractor) as long as it meets the same standards.

Mr. Hays stated that the standards are important and that they be gathered by people certified in ranch and range management.

Chairman Stewart responded that the standards she was referring to were the data standards.

Mr. Hays responded that the work needs to be done by someone knowledgeable in the field.

Chairman Stewart stated that the second issue is border safety. She believes it is an issue not only regarding safety to visitors but also to the staff. The Board has an obligation to its employees. This is an issue that was discussed at the Historic Preservation Conference. She is concerned. The Board has employees who are a long way from any help. It is disconcerting.

Mr. Travous responded that he would leave it up to the Operations staff. He trusts them to solve the problems that are encountered wherever we have parks.

Mr. Ream stated that Ms. Eseman and, sometimes, the Regional Manager, meet with the Border Land Management Task Force. The Border Patrol is involved, as well as all of the border land management people. He recently met with the manager of the Coronado National Monument to discuss how they deal with visitation and keeping a national monument open while there is considerable border traffic. Staff looked at the type of barricades they have put up. Barricades are becoming more and more prominent along the border. The problem is that every time a new barricade is put up the traffic is funneled to either side. As barricades continue to grow along the border, unless we come in with our

own that traffic will be funneled in the park's direction.

Mr. Ream added that staff are watching what the federal government plans to do with the border. It's an issue that is somewhat out of this agency's hands.

Chairman Stewart stated that she understands that some of it is out of the Board's hands, but we have staff there and it's an issue the Board does have some control over. She understands that staff are involved in coordination efforts and that the federal government needs to do something. She believes that the Board needs to evaluate what the agency is doing with its staff in terms of doing enough to protect them. Simply saying it's someone else's responsibility is not enough. If the Board is asking its employees to be on that border when there are events where people come across the border with machine guns and armed cars on a weekly basis, it's a matter of time before there is an incident. She's sure staff are doing everything possible to avoid direct contact.

Mr. Porter asked what the distance along the border is.

Mr. Ream responded it is 3.5 miles.

Mr. Porter asked who is on either side of the property.

Chairman Stewart responded that Mr. Goodwin is next door on one side.

Mr. Porter noted that a 3.5 mile stretch of barricades will not do anything. At the same time, if we are going to have a longer stretch, where does the federal government step in? Do they have to approve any barricades?

Mr. Ream responded that the federal government actually build the barricades.

Mr. Porter asked how the Board goes about trying to get them.

Ms. Eseman responded that it is already in progress. It has already been funded. It will extend from our property line to the border.

Mr. Porter noted that a 3.5 mile stretch will not necessarily help.

Chairman Stewart noted that it will move the problem toward our neighbors, one of whom is an employee. She asked if staff have any idea of when construction might begin.

Ms. Eseman responded that it will be in three to nine months. Staff are partnering with the Border Patrol.

Ms. Hernbrode noted that it is her understanding that an Environmental Impact Statement for that border fencing is in its final comment period. She does not believe the federal government can move until they have that EIS document.

Mr. Shein added that ASP's issue has been the quality of information they have about ASP's facilities. The information they have is not of the quality staff would like.

Mr. Hays noted that the federal government owned, patrolled, and maintain the fence in the 1940s. They hired line riders to constantly patrol that fence and keep it repaired. There was better surveillance then than we have today.

Mr. Ream added that the feds still own the fence as well as a right-of-way 60' in.

Chairman Stewart requested staff report back to the Board on what can be done to protect staff in this area.

Chairman Stewart stated that the third issue to discuss is the balancing of the natural area and the historic ranch center. The issue is whether there can be only one or blend the two things. Part of the context in looking at the natural area is the historical use.

Mr. Hays noted that grazing is what maintains the health of the valley. Grazing has always been a part of it. The assumption of no grazing on a natural area is strange.

Chairman Stewart responded that she is not sure that's what they were saying. If she understood it correctly, it's having grazing only on the conservation easement.

Mr. Ream responded that what was said in the draft that was presented today was that staff would not be operating San Rafael as a cattle ranch. Staff did not eliminate grazing; staff do not want to do exhibition grazing (bringing in cattle just to show people it's a cattle ranch). If cattle are needed as part of the management plan, they would be used in that capacity. Staff do not want to create a fake cattle ranch. There is a 17,000 acre cattle ranch above us.

Mr. Hays noted that 3,000 acres is hardly a cattle ranch. It is certainly historically necessary for the point that the beef cattle industry in Arizona was first introduced there. He believes it should have some visibility as a true ranch. It is ridiculous not to have some cattle there. They serve a dual purpose for the historical interest and maintaining the habitat.

Mr. Porter noted that there is plenty of time to eventually adopt a management plan. It is probably a long way down the road.

Chairman Stewart added that the Board hasn't fully addressed that issue. She is not sure that the historic issues are necessarily precluded, either. We need to take a look at how it can be done consistent with the requirements of the focus since it was purchased with Natural Areas money. These things would have to be placed into the historic context.

Mr. Travous stated that he believes everyone agrees that the primary purpose for acquisition was the natural area. Things need to tier down from that. Regarding the comment that we shouldn't use Natural Areas money for operations on the ranch side, he would like the agency to bifurcate the system more than it is. The fact of the matter is that the agency spends a lot of General Fund money and other money to do things that do not get paid out of the Natural Areas fund. He doesn't want people to start getting jealous of their little pockets of management money when, in essence, we go out from a variety of sources and take care of management needs.

Mr. Porter stated he was glad to hear that comment. If it turns out that NAPAC are absolutely correct, he would not want the Board to say it would have to forego developing the historic side of this property. If other money needs to be found, fine. If there is a problem, then he wants to send the signal that other money will need to be found.

Chairman Stewart suggested that staff advise the Board what is required and see what ideas they can generate.

Mr. Porter stated that he is just letting people know where he is going. He believes this is one of the most exciting properties the Board has. How and what is developed is an opportunity for the Board to set an example as to how this type of unusual project can be carried out. If the Tam O'Shanter project comes about, it will be another challenge for the Board. It will be a totally different park from anything the Board has taken on. Sonoita Creek and the Verde Valley are also very different than anything the Board has dealt with. The Board needs to be aware of that.

Chairman Stewart noted that the Board want to keep an eye on establishing itself as a leader in conservation.

Mr. Hays reiterated his concern that the Board needs to be careful who does the contract work for the Management Plan.

Mr. Travous noted that staff have had UA staff helping with gathering information. He thanked staff. This is a complicated project. All the groups involved have done a nice job.

Chairman Stewart stated her agreement and added this is the kind of report the Board likes to see. It provides information for the Board to then have a good discussion.

Mr. Ream noted that staff actually has the notes from Dr. Ingraldi for Mr. Hays regarding the Game and Fish draft report.

Chairman Stewart thanked NAPAC for their work. NAPAC sometimes find themselves in the same position as the Board's attorney. Sometimes they bring things to the Board's attention that the Board doesn't want to hear. They serve a very important function and have been very diligent in fulfilling their responsibilities. They spend hours and hours on committee work in addition to meetings.

Chairman Stewart called for a recess at 10:45 a.m.

The meeting was reconvened at 10:55 a.m.

Chairman Stewart returned to Agenda Item D.2.

D. ACTION ITEMS

- 2. Approve Revised FY 2006 and FY 2007 Operating Budgets** – Staff recommends that the Board approve the Revised FY 2006 and FY 2007 operating budgets as a lump-sum and that the Executive Director be authorized to implement the programs, including submittal to the Governor's Office and legislature as required.

Board Action

Mr. Porter: I move that the Board approve the Revised FY 2006 and FY 2007 operating budgets as a lump-sum and that the Executive Director be authorized to implement the programs, including submittal to the Governor's Office and legislature as required.

Mr. Hays seconded the motion. The motion carried unanimously.

- 4. Approve Capital Improvement Plan for Fiscal Years 2007 and 2008** – Staff recommends that the Arizona State Parks Board approve the Arizona State Parks Capital Improvement Plan for Fiscal Years 2007 and 2008 as presented.

Mr. Porter noted that the Board did not discuss this issue at yesterday's meeting. He is personally comfortable with the Capital Improvement Plan as provided and would make a motion to accept it.

Board Action

Mr. Porter: I move that the Arizona State Parks Board approve the Arizona State Parks Capital Improvement Plan for Fiscal Years 2007 and 2008 as presented.

Mr. Hays seconded the motion.

Chairman Stewart noted that some of the items pertained to work at San Rafael, specifically bringing in the electric grid. If we're promoting ourselves as a conservation agency, she wondered if this wouldn't be an area where the demonstration should be solar. She knows that there are entire ranches that operate on solar.

Mr. Ream responded that this plan is two years out, requires budgeting, and there is no management plan in place. That money could be used for an advanced solar system or a hook-up to the grid. It needs to be place-marked. Additionally, there will be issues that cannot be solved by solar power as it is today. ADA access to the house is one issue that needs to be worked on and for electric power at the house.

Chairman Stewart suggested staff speak with Chuck Backus who lectures on the use of solar energy. He was the provost at ASU East, is recently retired, and is nationally recognized as having purchased a ranch that is entirely operated on solar energy and still operates it with a back-up system. There are systems staff could look at. It seems to her that that would be something that would draw people to the ranch. It ties in with the Board being a natural area / conservation entity. Staff need to explore those things.

Mr. Porter stated that this is something will ultimately come back to the Board.

Chairman Stewart stated that she had no problem voting with it today, but did want to raise that issue. She would want to hear back at some time before going forward with this.

Mr. Ream responded that the Park Manager has the same issue as the Chairman. Development budgets need to be out in front of the planning budgets.

Chairman Stewart called for a vote on the motion on the floor. The motion carried unanimously.

5. Patagonia Lake State Park Boating Restrictions - Staff recommends the following:

1. Prohibit all "above water exhausted" boats at Patagonia Lake. This recommendation is based primarily on the noise pollution these boats generate, but, because of the astounding speeds these boats can reach, safety is also a serious factor. Effective November 1, 2005.
2. Prohibit all jet skiing based on both noise and safety factors. Effective May 1, 2006.
3. Prohibit all skiing or towing activities based on lake size and the distractive nature this activity places on the watercraft operator. Effective May 1, 2006.

Mr. Porter noted that the Board has been discussing this issue for a number of years. He believes the Board has the reports and the information from the Visitor Survey. The only issue he has is why some of these things are being "gradualized" (some are effective November 1, 2005 and some on May 1, 2006). He is not satisfied. He feels there is a necessity to get it done. If the necessary study for above water exhausted boats can be done November 1st, then the others can, too.

Board Action

Mr. Porter: I move that the Board prohibit all "above water exhausted" boats at Patagonia Lake, prohibit all jet skiing, and prohibit all skiing or towing activities, all effective November 1, 2005.

Mr. Hays seconded the motion.

Chairman Stewart stated that she, too, was concerned on that issue. She feels it's been more than three years since the Board was on the site and saw the accident. The Board had some input from the public when it did the survey. The majority of the people were in favor of these restrictions. It doesn't seem to be efficient to put out two separate public comment periods. There's plenty of time to meet the November 1 date on all three issues.

Mr. Ream stated that above exhausted boats is a very small population of visitors to the park and can be easily managed. The jet skiing and the towing activities at the lake are a larger population. The current policy ends those activities on May 1. He wanted to use that time between now and the introduction of the prohibition to educate that population and allow them a chance to find other alternatives for their recreation uses regarding towing and skiing. The season begins May 1.

Chairman Stewart stated that the longer the Board puts it off the bigger the chance of something happening. The public has said they were concerned about both the boat noise and safety given the size of the lake.

Mr. Ream responded that staff can manage the public meetings. He asked the Board to look at the staff motion. It provides that the Executive Director conduct public meetings to inform the public and receive comment.

Mr. Porter agreed to restate his motion to include that provision. One of his concerns with the later dates is the potential for liability. The Board knows it's dangerous and has known it for several years.

Restated Board Action

Mr. Porter: I move that the Executive Director conduct public meetings to inform the public and receive comment on the following prohibitions recommended at Patagonia Lake State Park:

1. Prohibit all "above water exhausted" boats at Patagonia Lake. This recommendation is based primarily on the noise pollution these generate, but because of the astounding speeds these boats can reach, safety is also a serious factor. Effective November 1, 2005.
2. Prohibit all jet skiing based on both noise and safety factors. Effective November 1, 2005.
3. Prohibit all skiing or towing activities based on lake size and the distractive nature this activity places on the watercraft operator. Effective November 1, 2005.

Public comment will be reported to the Parks Board at the October 2005 Board meeting at which time the Board will vote to implement these prohibitions.

Chairman Stewart stated that she has a concern with that. It delays the Board voting on the prohibitions. She believes the Board has made up its mind and should do it. The Board already has

public comment.

Mr. Travous noted that the public who will be affected by this will not say they had public input. Surveys have been conducted. He predicts that, particularly, the jet skiing population will come out in force. He wants to be sure the Board knows that the less time they give the public to have input the more they will feel that the Board did this behind closed doors. He believes that their issue, then, will be that the Board did this behind closed doors.

Mr. Porter responded that he believes the Board is there; it looks like the Board is certain. He stated that he would tell staff right now that he will almost certainly, at the October meeting, make the motion that he previously put forth. The Board will see if something comes from the input.

Mr. Hays seconded the restated motion.

The motion carried unanimously.

E. EXECUTIVE STAFF UPDATES – The Board and staff may discuss and the Board may take action on the following, if requested by the Board:

1. Watchable Wildlife

Chairman Stewart noted that she spoke with someone at Game and Fish Commission who brought it to her attention that they are in the process of updating the Game and Fish Watchable Wildlife book. It is important that ASP be actively involved in that project. They would like to have a representative from the agency working with them on that effort. They have a meeting coming up in August.

Mr. Ream responded that staff have participated in their strategic planning sessions. A representative will attend the August meeting.

2. Update on Building Structure at McFarland State Historic Park

Chairman Stewart stated she has a concern and question. She understands that the firm that did the Building Assessment Survey strongly recommended that a soil analysis be done. She asked if that had been done.

Mr. Ream responded affirmatively. It will be part of the contract to be let. He referred to page 31 of the Board packet and stated that staff would go through that list, do what can be done, and move forward. The first thing they want to do is test the soil and redo the grading plan. There is a concern that the clays are holding the moisture against the foundation.

3. Update on Sedona Fire District

Mr. Porter asked if there is a timeline for getting this issue resolved.

Mr. Ream responded that staff will spend the next few months developing a plan of implementation that will include a lease contract for the Board to review. Draft plans and contracts will be provided for the Parks Board at the October 2005 meeting, giving time for revisions. Staff will schedule it for Board action in January, 2006.

Mr. Porter noted that he recalled that the Fire District wasn't sure they wanted to proceed.

Mr. Ream responded that they had a new Chief. Whenever there's a change of structure there is a potential for this to go away. At the Flagstaff Board meeting there was discussion about not putting it in the park proper (staff lose control of the park they're running). Mr. Travous had suggested the fruit stand property that is across the road. It is a large property (340'x75'). He referred to page 43 of the Board packet. This is the one the Chief and Deputy like best. It is also the one that his staff prefer. It is a two-story structure. Staff are proceeding.

4. Parks Development Planning

5. Historic Park Operating Hours

6. Ranger Led Experience at Parks

Mr. Porter noted that the only park that doesn't have any ranger-led activities is Boyce Thompson.

Mr. Ream noted that they do a lot of things, but none of it is tracked because we have no control over what they do. ASP staff sit on half a dozen committees. Ms. Marti Murphy sits on their Education Committee so we have a lot of input on content. Staff also participate in most of the special events.

Chairman Stewart asked if the tours listed are group tours.

Mr. Ream responded that many are on-the-spot; some are pre-arranged. However, they are not "tours". If someone calls and says they are bringing in a group and requests a tour, staff will accommodate.

Chairman Stewart stated that her question is in terms of the general public, what is available for when one or two people walk in.

Mr. Ream responded that he hoped this information shows that the potential is there. He was trying to determine initially what was being offered. He will take this list and find out which of the items listed could be offered on a regular basis once a week.

7. Historic Parks - Capital Expenditures

Mr. Travous distributed a document listing historic projects from July 1, 2002 to June 30, 2005.

Chairman Stewart stated that, since the Board has not had the opportunity to review this document prior to the meeting, she was tabling this item to the September meeting.

8. PAMS Update

Mr. Siegwarth reported that PAMS is progressing. Vince Schiavetti, Computer Support staff, has been doing the work of two people for the past couple of months to move the project forward.

Chairman Stewart stated that the PAMS studies are something that would lend themselves perfectly as internships for students at the universities. It could be a win-win situation and extend the agency's partnership with the universities.

9. Update on Climbing Park

Mr. Travous reported that the information contained in the Board packet is current. The federal legislation has been introduced. Staff have discussed state legislation with state legislators.

Chairman Stewart added that she understands that the federal legislation has been introduced but not the part that specifically deals with ASP.

Mr. Travous responded that there is a placeholder in that legislation for amendment. The amendment is being worked on.

10. Grant Applications

F. DISCUSSION ITEMS

1. State Trust Land Reform

Mr. Winkleman reported that two days ago documents were filed for an Initiative to come before the voters on the November 2006 ballot. It came together primarily with the AEA (Arizona Education Association) working with The Nature Conservancy and the Sonoran Institute. There are differences from the version drafted by a coalition a year ago. One of the differences is that it allows for no cattle grazing at all. These would be Constitutional changes only. If it were passed, the legislature would then have to fill in the meat of it. The maps look a lot like they did a year ago. There are about 700,000 acres involved. The three categories are educational lands (primarily Centennial Forest and Santa Rita Ranch), Incentive Lands (do not have to be paid for), and Option Lands (have to be paid for but will not be sold at auction). He believes ASP came out exceedingly well. There is land at Picacho Peak, Catalina, Patagonia, Homolovi, KCSP, and possibly Lyman Lake. There is free land at Picacho, KCSP, and perhaps another location. A lot of the land that was on the wish list appears, but must be purchased.

Mr. Winkleman stated he is highly confident there will be enough signatures to get it on the ballot.

There are some groups that are less than thrilled. He expects there will be some shenanigans in the legislature. It's possible that attempts will be made to place other initiatives dealing with this issue on the ballot.

Mr. Hays asked if the Land Commissioner is comfortable with the initiative as it stands.

Mr. Winkleman responded that the maps are excellent for ASP. It gives the Land Department the ability to better fund itself by allowing them to retain some of the money generated from the sales of the land. Exchanges are not allowed.

Mr. Winkleman stated that he wanted to give credit to the education community. They agreed to some things that were important to ASP that hadn't been in the previous version. After seeing these things two or three times, they finally said "OK". While they were not adamantly opposed, there were a lot of things to choose from. Ultimately, this is their initiative; it is not the Land Department's initiative.

Chairman Stewart noted that the Board owes the Land Commissioner a lot of thanks for bringing it to their attention.

Mr. Porter noted that Mr. Winkleman took a reasoned and intelligent legal approach. No one else was going to move on reform.

Mr. Ziemann asked whether the proposed initiative deals with the balance that is sitting in the fund.

Mr. Winkleman responded that, unfortunately, that is a legislative issue rather than an Constitutional issue.

2. Santa Cruz River Presentation

Chairman Stewart noted that two people wished to speak on this issue.

Mr. John Hays, Chairman, NAPAC, addressed the Board. He stated that NAPAC has spent a significant amount of time meeting over the last three years looking at the land in the upper Santa Cruz River. He wanted to express their belief that there are many areas within that area that have natural resource values that would justify Natural Areas funding should those opportunities present themselves to the Board for acquisition. They also recognize that management of those lands for natural resources will represent challenges not seen to date in terms of public access and management. NAPAC stands ready to assist the Board in any manner should they wish to seek the preservation and conservation of this area.

Chairman Stewart stated that she feels NAPAC has done a lot of work in this area and that their analyses have been very helpful. She believes that, as the Board considers how it can assist others in moving forward in this area they will want to keep NAPAC involved. In discussions on this issue yesterday, as in the past, the consensus was that the Board should assist in establishing partnerships to look at this issue and assist others in acquiring and managing the property or any easements involved; however, ASP is not the appropriate entity to acquire them.

Mr. Bill Roe addressed the Board. He distributed a document entitled, *Santa Cruz Watershed* and stated it gave him great pleasure to be back at the Parks Board. Discussions earlier this morning brought back numerous memories. He sees that the Board is still dealing with the Mabery issue. It was an issue when he served on the Board. They also talked about protecting State Trust Land at Picacho Peak and Patagonia Lake years ago. He served two terms on the Board. He is the only person appointed by both Governor Babbitt and Governor Symington. Parks Board member, Mr. Hays, when he was in the State Senate, was his sponsor at both of his hearings and shepherded him through the process. He also sat on the Selection Committee for the last two ASP Executive Directors. He has a long history with the Board and memories came flooding back today. He stated that he would be extremely brief today.

Mr. Roe stated that he is informally representing a large coalition of people interested in protecting the Santa Cruz River. They are not willing, at this time, to make any specific requests of the Board. The Board Chairman has stated that the Board is focused on new, innovative partnerships and ways to protect not just one property, but those along the entire stretch of the Santa Cruz. The coalition wants to work with the Parks Board and staff in trying to bring this vision about. Santa Cruz County needs to be involved. The Parks Chairman has discussed ASP providing resources or advising in the support area. The Board also has more flexibility with grant money than for acquisitions or

operations. There are a variety of things that can be done with non-profit groups in Santa Cruz County. Work needs to be done to find a new, innovative approach to partnerships.

Mr. Roe requested that he be able to come back to the Board at a future date to talk about more concrete ways about this issue and that the Board and staff continue to participate in the partnership process and provide leadership and help keep the issue alive.

Mr. Porter stated that the Board did not approach this lightly. The Board came to the conclusion that with limitations on funding and other issues, including the patchwork nature of the project, they were not the appropriate party to purchase or manage the properties. The Board does, however, recognize its importance and certainly would like to be involved in helping to ultimately bring other entities together and provide thoughts and expertise. He believes the Board can assist in the formation of these partnerships.

Mr. Roe noted that over the last 30 years his involvement with the Parks Board and other entities has been in the area of protection of riparian areas. The Parks Board provided significant leadership on the Verde, Sonoita Creek, and at one point looked at properties at the San Pedro. It is that sort of leadership that is really important. This is not to say they want to detract from the effort on the Verde, and it's not to say that the San Pedro is not important. However, the Santa Cruz does have a cultural, historic, and natural value. Somehow we have to pull together. There are enough groups now and enough people interested that, with nurturing, a joint partnership can be forged. He noted that land prices are a concern. Land prices in Pima County are now increasing more than 1% per month.

Mr. Roe stated that he appreciates the Chairman's and Board's comments. They look forward to working with the Board.

Chairman Stewart thanked Mr. Roe for taking the time to come to this meeting. She stated that at this time the Board would like to refocus staff's efforts from trying to negotiate a contract for purchase of this land to working on partnerships and, perhaps, as the Board did with the Hopi MOU to assist them in setting up their own Parks and Recreation Department, perhaps the Board can serve in that kind of advisory capacity with Santa Cruz County. She brought photographs that show a wide range of resources and rehabilitation challenges. She asked staff if there was anything else the Board could do.

Mr. Travous responded that he believes it's a continuation of what he did a couple of weeks ago with this group of people. More people need to get involved. They know who they are better than he does. His goal is to give them ideas, listen to their ideas, and assist them in maintaining their focus and make the issue more understandable to people at this juncture.

Mr. Porter noted that the comment that the Board is doing similar kinds of things at both the Sonoita and in the Verde Valley is a good point. He is hopeful that the Board can provide them with information from the Board's experiences. The Board can work with them and give them ideas about what works best and what doesn't. He believes Mr. Travous is a very good leader in helping them make things happen. The Board just cannot be footing the bills and owning the land.

G. EXECUTIVE SESSION – Upon a public majority vote, the Board may hold an Executive Session which is not open to the public for the following purposes:

- 1. To discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03 (A)(3), including:**
 - a. Mabery Easement Dispute Litigation**
- 2. To discuss or consult with its legal counsel in order to consider its position and instruct its attorneys regarding the Board's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. §38-431.03 (A)(4)**
 - a. Mabery Easement Dispute Litigation**

Chairman Stewart stated that, per counsel, there is no need for Executive Session.

Ms. Hernbrode reported that there still is no Final Judgment in the Mabery action and, therefore, she has no further advice for the Board on this matter.

H. ACTION ITEMS FROM EXECUTIVE SESSION

1. Mabery Easement Dispute Litigation

I. CALL TO THE PUBLIC

No additional members of the public wished to address the Board.

J. TIME AND PLACE OF NEXT MEETING AND CALL FOR FUTURE AGENDA ITEMS

1. Staff is recommending that the next meeting be scheduled for September 15, 2005 in Phoenix, AZ.

Chairman Stewart noted that the next meeting will be held in the Capitol area near the Phoenix Office. There will be a PAMS Open House following the Board meeting.

2. Board members may wish to discuss issues of concern and request staff to place specific items on future Board meeting agendas.

Chairman Stewart noted that staff have been directed on items to include on the Agenda.

Mr. Travous noted that he will attend the 15th International Congress on Caves in August. More than 200 papers will be presented and there will be more than 500 attendees from around the world. Some of those papers being presented are on KCSP. He will report on the recent research from UA on mathematical models for speleothems growth and the environmental data staff have been putting together. The Congress is being held in Athens, Greece. He noted that no State money will be expended; he is covering all his expenses personally.

Chairman Stewart noted that Dr. Toomey may attend the September meeting to report on the State of the Cave that he completed prior to leaving the agency.

Chairman Stewart thanked the staff of San Rafael for their hospitality Wednesday night and the excellent presentation today. She thanked Mr. Pawlik for his hospitality on Wednesday and the tour following the meeting. One of the benefits of having meetings in these locations is the opportunity for the Board to actually get out and see the parks they are charged with protecting for the public.

Ms. Hernbrode requested the Agenda include E-Mail Communications. The Attorney General expects to issue an Opinion on Friday on the use of E-Mail and all communications outside of public meetings. This is different from the guidance given in the past. She will provide the Board with copies of that AG Opinion when it comes out. She requested that the Board members not reply in any way. While she has a good idea of what the Opinion will say, she is not drafting it and cannot say what the final form will be. It may be a surprise to her as well.

K. ADJOURNMENT

Mr. Winkleman made a motion to adjourn. Mr. Porter seconded the motion. The motion carried unanimously. The meeting adjourned at 11:54 a.m.

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of a disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the ADA Coordinator, Nicole Armstrong-Best, (602) 542-7152; or TTY (602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.

SUBMITTED BY:

Kenneth E. Travous, Executive Director

APPROVED BY:

Elizabeth Stewart, Chairman